

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation

Master File C.A. No.
1:00-1898 (SAS)
MDL 1358

This Document Relates to:

Basso, et al. v. Sunoco, Inc., et al., No. 03-Civ-9050
Tonneson, et al. v. Sunoco, Inc., et al., No. 03-Civ-8248

DEFENDANT EXXON MOBIL CORPORATION'S PROPOSED VOIR DIRE

QUESTIONNAIRE FOR PROSPECTIVE JURORS

DEAR PROSPECTIVE JURORS:

This questionnaire is designed to obtain information from you with respect to your qualifications to sit as a juror in this case. By use of this questionnaire, the process of jury selection will be shortened.

Because the questionnaire is part of the jury selection process, the questions must be answered by you under penalty of perjury and you should fill out this questionnaire by yourself without consulting any other person.

Please respond to the following questions as completely as possible. The information contained within the questionnaire will become part of the Court's permanent record, but it will not be distributed to anyone except the attorneys in the case and the judge.

The answers you give will be used only in this jury selection and trial process. It is not our purpose to intrude into your affairs or violate your privacy. If you wish to be questioned only in private about any question, please write the word "PRIVATE" by your answer. If you wish to make further comments regarding any of your answers, please use the back of the last page and indicate the corresponding question number. Please do not leave any space blank. If you have any questions or problems filling out this form, please advise the bailiff of the Court.

Please realize there are no right or wrong answers – just honest ones.

Juror Questionnaire

It is very important that you answer each of the following questions accurately and truthfully. There are no “right” or “wrong” responses. We understand that some of these questions are personal in nature. Please rest assured that your answers will be kept strictly confidential.

Name: _____ County: _____
 First *Middle or Maiden* *Last*

Address: _____ Age: _____
 Street *City* *State*

1. How long have you lived at your current address? _____

2. Do you: _____ rent _____ own _____ live w/homeowners

3. Are you: _____ Married _____ Living With Someone _____
 Divorced/Separated
 _____ Never Married _____ Widowed

4. Do you have any children? _____ Yes _____ No
 If **YES**, how many children do you have? _____
 Please list their ages and occupations: _____

How many children, age 18 or under, live at home with you? _____

5. What is your current employment status? *(Please check all that apply.)*
 _____ Employed Full-time _____ Looking for work _____ Homemaker
 _____ Employed Part-time _____ Full-time student _____ Retired
 _____ Self-employed _____ Part-time student _____ Unemployed
 _____ Disabled _____ Other: (please specify) _____

6. Please list the last three jobs you have held (begin with current occupation).
 If retired, disabled, unemployed or homemaker, please list the last jobs you held outside the home:

Length

Employer	Position/Title	Reason for Leaving	of Time
a. _____	_____	_____	_____
b. _____	_____	_____	_____
c. _____	_____	_____	_____

Please briefly describe your current or most recent job duties/responsibilities: _____

If unemployed and looking for work, how long have you been unemployed?

7. Have you, or has a family member, served in the military? ____ Yes ____ No
If YES, who? ____ Self ____ Family Member What Branch: _____

If YES, number of years served: Self: _____ Family: _____

8. Which group do you identify with most? (*check one*)
____ Executives ____ Managers ____ Workers

9. Please list the last three jobs your spouse, significant other or former spouse held (begin with current occupation). If your spouse, significant other, or former spouse is retired, disabled, unemployed or homemaker, please list the last jobs he/she held outside the home:

<u>Employer</u>	<u>Position/Title</u>	<u>Reason for Leaving</u>	<u>Length of Time</u>	<u>No. of People Supervised</u>
a. _____	_____	_____	_____	_____
b. _____	_____	_____	_____	_____
c. _____	_____	_____	_____	_____

Please briefly describe his/her current or most recent job duties/responsibilities: _____

10. What is the highest level of education you have achieved?

☐ Less than high school ☐ Some college ☐ Bachelor's Degree
☐ High school degree or GED ☐ Associate's Degree ☐ Master's Degree
☐ Vocational School ☐ Doctorate's Degree

What degree(s) did you receive? _____

What were your major areas of study? _____

What were your favorite classes? _____

11. What is the highest level of education your spouse/significant other or former spouse has achieved?

☐ Less than high school ☐ Vocational school ☐ College graduate
☐ Post-college graduate / Master's ☐ High school graduate ☐ Some college
☐ Associate's Degree ☐ Ph.D./M.D./J.D.

What degree(s) did he/she receive? _____

What were his/her major areas of study? _____

12. Have you or your spouse or significant other ever been self-employed or owned a business?

☐ Yes ☐ No

If **YES**, who? (*check all that apply*) ☐ Self ☐ Spouse/Significant Other

What type of business? _____

How many employees? _____ Is the business still operating? _____

Yes ☐ No ☐

Was that business ever sued? ☐ Yes ☐ No

13. Have you, or has anyone close to you, ever belonged to a union?

☐ Yes ☐ No

If **YES**, in which unions were you/they members? _____

14. Do you, or does anyone close to you, have any special knowledge, education or interest in any of the following?

S = Self F = Family (Check all that apply.)

_____ S _____ F Law (If **YES**, explain) _____

_____ S _____ F Environmental Issues/Regulation (If **YES**, explain) _____

_____ S _____ F Medicine (If **YES**, explain) _____

_____ S _____ F Chemistry/Chemical Industry (If **YES**, explain) _____

_____ S _____ F Counseling/Social Work (If **YES**, explain) _____

_____ S _____ F Engineering (If **YES**, explain) _____

_____ S _____ F Safety Management (If **YES**, explain) _____

_____ S _____ F Water Wells (drilling, maintenance) (If **YES**, explain) _____

_____ S _____ F Irrigation/Agriculture (If **YES**, explain) _____

_____ S _____ F Energy or Refining Industry (If **YES**, explain) _____

15. Have you, or anyone close to you, ever been employed by, or connected with, any federal, state or local regulatory agency (e.g., Environmental Protection Agency, Municipal Water District, Center for Disease Control and Prevention, etc.)?

_____ Yes _____ No

If **YES**, who? (*check all that apply*) _____ Self _____ Spouse/Significant Other

_____ Family Member _____ Friend

If **YES**, what agency?

16. Have you, a close friend or family member ever held a City, County or State office?

_____ Yes _____ No

If **YES**, who? (*check all that apply*) ☐ Self ☐ Spouse/Significant
Other

____ Family Member ____ Friend

Please list office and location: _____

17. Have you, or has anyone close to you, ever been employed by, or connected with the Town of Highlands and/or Fort Montgomery, New York? ____
Yes ____ No

If **YES**, who? (*check all that apply*) ☐ Self ☐ Spouse/Significant
Other

____ Family Member ____ Friend

If YES, please describe the position(s) held and the dates of employment?_____

Is/Was the experience: **Self:** ____ Positive ____ Negative ____ Neutral

Family/Friend: _____ Positive _____ Negative _____ Neutral

18. Have you, or has anyone close to you, ever worked in the oil or gas industry?

_____ Yes _____ No

If **YES**, who? (*check all that apply*) ☐ Self ☐ Spouse/Significant
Other

____ Family Member ____ Friend

If **YES**, please list the oil or gas company and the position(s) held and the dates of employment?

19. What is your opinion of oil and gas companies? _____

20. What is your opinion of ExxonMobil? _____

21. Do you, or anyone you know, live within the Town of Highlands and/or Fort Montgomery, New York? Check all that apply

____ Yes, I do; ____ Yes, a family member; ____ Yes, a friend; ; ____ No

22. What is the source of your water?

_____ Municipal Water Source, state name of company: _____

_____ Private Well

_____ Unsure

23. Have you ever had any concerns about the quality of your drinking water?
_____ Yes; _____ No

Please Explain:

Was the situation resolved to your satisfaction? _____

24. Have you experienced any problems with taste or smell of your home drinking water?
_____ YES _____ NO

If YES, please describe the nature of the problem and its duration: _____

If YES, did you report those problems, please describe: _____

25. Large oil companies like ExxonMobil should be held to a _____ standard of legal responsibility than smaller companies or individuals.
_____ Higher _____ Lower _____ Same

26. In a legal dispute between an individual and a large corporation, whose version of the events in question do you think you would be more likely to believe, the large corporation or the small company? (*check one*)
_____ Large Corporation _____ Small Company _____ Neither _____ Both

27. What is your opinion about the job that large oil companies do in safeguarding the public? _____

28. How would you describe your overall health? _____ Excellent; _____ Good; _____ Fair; _____ Poor
29. Do you, or anyone in your immediate family have any serious illnesses or diseases? _____ Yes; _____ No
If **YES**, please list who and the illnesses or diseases? _____

What do you think caused these illnesses or diseases? _____ Heredity;
_____ Lifestyle; _____ Exposure to Toxins or Chemicals; _____ Other
Please Explain: _____

30. Do you worry about health risks as a result of where you live?
_____ Yes, I worry a little; _____ Yes, I worry a lot; _____ No, I do not worry
If **YES**, please explain your concerns: _____

31. Do you worry about getting cancer?
_____ Yes, I worry a little; _____ Yes, I worry a lot; _____ No, I do not worry

32. How much do you think science has advanced since the 1980's and 1990's?
_____ Very little, if any; _____ A little; _____ Some; _____ A great deal

33. Have you ever belonged to or contributed to any environmental or conservation groups?
_____ Yes _____ No
If **YES**, which groups? _____

34. Do you believe there should be more, less or about the same amount of governmental regulation of the environment? (*check one*)
_____ More _____ Less _____ About the same

35. What is your opinion of the EPA (Environmental Protection Agency)? _____

36. How effective do you think the EPA is in protecting the public? (*check one*)
____ Very effective ____ Effective ____ Fairly effective ____ Ineffective
____ Unsure
37. Have you seen or heard anything about environmental problems caused by gasoline leaking from underground storage tanks? ____ Yes ____ No
If **YES**, have you formed an opinion about who is responsible for the problem?
____ Yes ____ No
If **YES**, who? _____
38. How would you describe the media's coverage of various health risks?
____ They usually exaggerate the risks
____ They usually downplay the risks
39. Have you seen or heard anything in the media or in conversation about the risks associated with gasoline additives, such as ethanol or MTBE?
____ Yes ____ No
If **YES**, when did you see or hear this information? _____

What did you read or hear? _____

What is your opinion of what you have read or heard? _____
40. Are concerned about supposed risks related to MTBE? ____ Yes; ____ No
41. Have you, or anyone close to you, ever been exposed to MTBE? ____ Yes
____ No
If **YES**, who? (*check all that apply*) ____ Self ____ Spouse/Significant
Other
____ Family Member ____ Friend
Please explain the circumstances: _____

42. Have you heard or read about a dispute involving large oil companies and residents of Fort Montgomery, New York? ____ Yes ____ No

If **YES**, what did you hear or read? _____

43. Have you ever attended any meetings held in Fort Montgomery, New York?
____ Yes ____ No

If **YES**, please describe when and why? _____

44. Has anything you have heard or read caused you to form an opinion about who should win a lawsuit between a person claiming MTBE contamination and oil companies who sold gasoline containing MTBE? ____ Yes ____ No

If **YES**, please explain: _____

45. The Plaintiffs in this case are represented by two law firms: Miller Axline and Sawyer from Sacramento, California and The Sarcone Law Firm from White Plains, New York. Do you know anything about any of those firms? ____ Yes ____ No

If **YES**, please explain: _____

46. Exxon Mobil Corporation is represented by McDermott Will and Emery LLP from New York, New York. Do you know anything about this law firm? ____ Yes ____ No

If **YES**, please explain: _____

47. Do you know any of the following possible witnesses in this trial:

a. Marc Bayer, M.D.? ____ Yes ____ No

b. Michael Bernholz? ____ Yes ____ No

- c. Robert Biles? _____ Yes _____ No
- d. Keith Bogardus? _____ Yes _____ No
- e. Sandra Bogardus? _____ Yes _____ No
- f. Donna Boyce? _____ Yes _____ No
- g. Jim Burke? _____ Yes _____ No
- h. Joan Buccholz? _____ Yes _____ No
- i. Ronald Buccholz? _____ Yes _____ No
- j. Anna Burley? _____ Yes _____ No
- k. Stacey Camacho? _____ Yes _____ No
- l. David Chain? _____ Yes _____ No
- m. Sullivan Curran? _____ Yes _____ No
- n. Victor Dugan? _____ Yes _____ No
- o. Thomas Eizember? _____ Yes _____ No
- p. Leroy Favre? _____ Yes _____ No
- q. Donald Flessner? _____ Yes _____ No
- r. Tracey Gardiner? _____ Yes _____ No
- s. Wyn Gardner? _____ Yes _____ No
- t. Brian Harney? _____ Yes _____ No
- u. Richard Hilchey? _____ Yes _____ No
- v. Janet Kester? _____ Yes _____ No
- w. Robert Larkins? _____ Yes _____ No
- x. Andy Madden? _____ Yes _____ No
- y. Thomas Maguire? _____ Yes _____ No

- z. Ted Masters? _____ Yes _____ No
- aa. Ray McGraw? _____ Yes _____ No
- bb. Michael McGuire? _____ Yes _____ No
- cc. Barbara Mickelson? _____ Yes _____ No
- dd. Gerry Raabe? _____ Yes _____ No
- ee. Eugene Renna? _____ Yes _____ No
- ff. Richard Roddewig? _____ Yes _____ No
- gg. Robert Scala? _____ Yes _____ No
- hh. Ceinwen Schreiner? _____ Yes _____ No
- ii. Thomas Schruben? _____ Yes _____ No
- jj. Judith Schultz? _____ Yes _____ No
- kk. Gary Stumpf? _____ Yes _____ No
- ll. Christine Tellefsen? _____ Yes _____ No
- mm. Michael Tobin? _____ Yes _____ No
- nn. David Travers? _____ Yes _____ No

48. If you know any of these possible witnesses, please describe the nature of the relationship, including whether this would prevent you from impartially considering the evidence and reaching a verdict in this case? _____

49. Do you believe that the fact that Plaintiffs started this lawsuit against Exxon Mobil Corporation and are here today for trial means that there must be at least some merit to the Plaintiffs' allegations against Exxon Mobil Corporation? _____ Yes _____ No
50. Do you drink/buy bottled or filtered water? (*check one in each category*)
a. At home: _____ Always _____ Sometimes _____ Never

b. At restaurants _____ Always _____ Sometimes _____ Never

If Yes, why do you drink/buy bottled or filtered water? _____

51. What are your feelings about punitive damages awarded against corporate defendants to punish their conduct? _____

52. Politically, do you consider yourself to be: (*check one*)
_____ Liberal _____ Moderate _____ Conservative _____ Other: _____

Are you a: _____ Democrat _____ Republican _____ Independent _____
Other: _____

53. Have you served on a jury? _____ Yes _____ No. How many times? _____

If **YES**, was the trial: _____ Civil **OR** _____ Criminal?

Were you the foreperson? _____ Yes _____ No

What was the verdict? _____

How would you feel about serving again?

54. Have you, or a family member, ever sued someone, or been sued? _____ Yes
_____ No

If **YES**, please describe the lawsuit(s) and list who was sued, why, and the outcome: _____

55. Within the past five years, have you experienced any of the following events: (*check ALL that apply*)

_____ Loss of employment.

_____ Death of a spouse/partner or child.

_____ Serious illness or injury.

_____ Serious financial hardship.

_____ Major hospitalization or surgery.

_____ Victimization due to a crime.

_____ Taken time off from work because of stress or fatigue.

56. Is there any reason whatsoever that you think you might start out favoring one side over the other in this lawsuit? ____ Yes ____ No

If **YES**, please explain: _____

57. Do you have any major commitments over the next two months which would prevent you from sitting on this jury, i.e., family, business, medical? ?
____ Yes ____ No

If **YES**, please explain: _____

58. The parties have estimated that this trial could last 8-10 weeks. Is there any reason that serving on this jury for that length of time would cause significant hardship to you?
____ Yes ____ No

If **YES**, please explain: _____

59. Do you have a medical condition or health problem that would make it difficult for you to serve as a juror? ____ Yes ____ No

If **YES**, please explain: _____

60. Will you be able to deliberate based solely on the evidence presented at trial, and not based on any other information? ____ Yes ____ No

If **NO**, please explain: _____

61. Had you heard anything about this case before coming here today? ____ Yes ____ No

If **YES**, please explain: _____

62. On the basis of what you have learned about the case and the parties to this point, do you have any feelings in favor of, or against, one side or the other?

_____ Yes _____ No

If **YES**, please explain: _____

63. Will you deliberate based only on the evidence you hear, and not speculate on what you have not heard? _____ Yes _____ No

If **NO**, please explain: _____

64. If it should become necessary for an attorney for any party to make an objection, will you understand that they are objecting because it is their position that the evidence being offered is not proper according to the rules of evidence and that it is their duty to object in such circumstances?

_____ Yes _____ No

If **NO**, please explain: _____

65. If you are selected as a jury in this case, you will be required to decide the case solely on the evidence introduced and the instructions the judge will give you concerning the law, whether you agree with the law or not. Is there any reason you could not do that?

_____ Yes _____ No

If **YES**, please explain: _____

66. Do you know of any reason, not disclosed in your answers to these questions, why you could not be a fair and impartial juror in this case?

_____ Yes _____ No

If **YES**, please explain: _____

67. Do you own stock in ExxonMobil: Yes _____; No _____

Juror No._____
